

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE  
2005 OCT 18 P 3:46

RICHARD D. BURNS,

Plaintiff,

v.

ROADS CORPORATION &  
JOHN SARAO, JR. PRESIDENT  
ROADS CORPORATION,

Defendants.


C.A. No. 05-10973-GAO

**LOCAL RULE 16.1(D)(3) CERTIFICATION**

Pursuant to Local Rule 16.1(D)(3) of the United States District Court, District of Massachusetts, counsel for Roads Corporation and John Sarao, Jr (jointly "Defendants") hereby confirm that they have conferred with the Defendants regarding establishing a budget for the costs of conducting the full course – and various alternative courses - of litigation. Counsel have also conferred with Defendants regarding plaintiff Richard D. Burns' settlement demand and the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

ROADS CORPORATION &  
JOHN SARAO, JR. PRESIDENT  
ROADS CORPORATION,

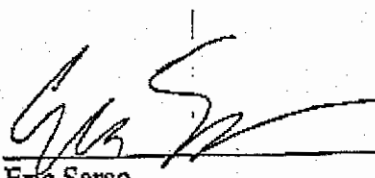
By their attorneys,

  
Bradford J. Smith. (BBO No. 550325)  
Jennifer Merrigan Fay (BBO No. 546309)  
**GOODWIN PROCTER LLP**  
Exchange Place  
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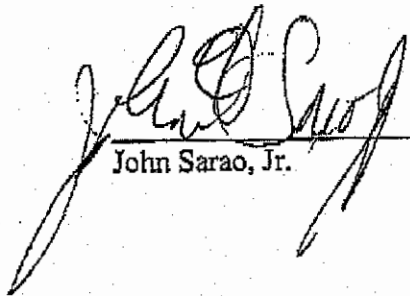
**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail (by hand) on Oct 18, 2005

by J.M. Fay

A handwritten signature in dark ink, appearing to read 'Eric Sarao', written over a horizontal line.

Eric Sarao  
President  
Roads Corporation

A handwritten signature in dark ink, appearing to read 'John Sarao, Jr.', written over a horizontal line.

John Sarao, Jr.

Date: October 18, 2005  
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